

Senate Study Bill 3005 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED PUBLIC EMPLOYMENT
RELATIONS BOARD BILL)

A BILL FOR

1 An Act providing for the use of an electronic filing and notice
2 system by the public employment relations board.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 20.24, Code 2014, is amended to read as
2 follows:

3 **20.24 Notice and service — electronic filing system.**

4 ~~Any~~ The board shall by rule establish an electronic filing
5 system for the filing or service of any notice or other
6 document required under the provisions of this chapter shall
7 ~~be in writing, but service thereof shall be sufficient if~~
8 ~~mailed by restricted certified mail, return receipt requested,~~
9 ~~addressed to the last known address of the intended recipient,~~
10 unless or permitted by law to be filed with or served on or
11 filed or served by the board. Unless otherwise provided in
12 this chapter by law, the board may by rule require the filing
13 or service of such notice or other document through the system,
14 notwithstanding the provisions of chapter 17A concerning
15 service or filing by mail. Refusal of restricted certified
16 ~~mail by any party shall be considered service. Any notice~~
17 or other document not required by rule to be filed or served
18 through the system shall be filed or served in accordance with
19 chapter 17A. Unless otherwise provided in this chapter by law,
20 prescribed time periods shall commence from the date of the
21 receipt of the notice filing or service through the system.
22 ~~Any party may at any time execute and deliver an acceptance of~~
23 ~~service in lieu of mailed notice.~~

24 EXPLANATION

25 The inclusion of this explanation does not constitute agreement with
26 the explanation's substance by the members of the general assembly.

27 This bill requires the public employment relations board to
28 establish by rule an electronic filing system for the filing or
29 service of any notice or other document required or permitted
30 by law to be filed with or served on or filed or served by
31 the board. The bill permits the board to require by rule,
32 unless otherwise provided by law, the filing or service of such
33 notice or other document through the system, notwithstanding
34 the provisions of the Iowa administrative procedure Act, Code
35 chapter 17A, concerning service or filing by mail. The bill

1 specifies that any notice or other document not required by
2 rule to be filed or served through the system shall be filed or
3 served in accordance with Code chapter 17A. The bill provides
4 that prescribed time periods commence from the date of the
5 filing or service through the system, unless otherwise provided
6 by law. The bill strikes language in Code chapter 20, the
7 public employment relations Act, establishing service of notice
8 by mail as sufficient service of notice.